

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

IN RE:	*	
	*	CASE NO. 15-53700-wlh
BRENDA KAY ROBERTSON	*	
Debtor.	*	CHAPTER 7
	*	

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**SECOND AMENDMENT TO BANKRUPTCY PETITION**

COMES NOW the above-named Debtor, by and through undersigned counsel, and files this First Amendment to Bankruptcy Petition, by showing to this Honorable Court the following:

1.

The Debtor, Brenda Kay Robertson, filed a Voluntary Chapter 7 Petition in the United States Bankruptcy Court in the Northern District of Georgia, Atlanta Division, Case No. 15-53700-wlh on February 27, 2015.

2.

Amend Debtor's Schedules B, C and Summary of Schedules, as shown on the attached documents.

WHEREFORE, Debtor prays:

- a) That this Second Amendment to Bankruptcy Petition be filed, read, and considered;
- b) That this Honorable Court grant this Amendment; and
- c) That this Honorable Court grant such other and further relief as it may deem just and proper.

Respectfully submitted,

HICKS, CASEY & MORTON, P.C.

/s/ Katherine J. Hill  
KATHERINE J. HILL  
State Bar No. 218574  
Attorney for Debtor

136 N. Fairground St., Ste. 100  
Marietta, GA 30060  
Telephone: (770) 428-1000

### **CERTIFICATE OF SERVICE**

I certify that I have this date served the following parties with a copy of the within and foregoing Second Amendment to Bankruptcy Petition by placing a true copy of same in the United States Mail with adequate postage affixed to insure delivery, addressed to:

Office of the U.S. Trustee  
362 Richard Russell Federal Bldg  
75 Spring Street, N.W.  
Atlanta, Georgia 30303

Brenda K. Robertson  
78 Wall Street  
Hampton, GA 30228

S. Gregory Hays  
Hays Financial Consulting, LLC  
Suite 200  
3433 Peachtree Road, NE  
Atlanta, GA 30326

Michael J. Bargar  
Arnall Golden Gregory, LLP  
Suite 2100  
Atlanta, GA 30363

RES-GA Diamond Meadows, LLC  
RES-GA Rex, LLC  
c/o Beth Rogers  
Rogers Law Office  
The Equitable Building  
100 Peachtree Street, Suite 1950  
Atlanta, GA 30303

Fidelity Bank  
c/o Robert W. Scholz  
Evans Scholz Williams & Warncke LLC  
3490 Piedmont Road  
Suite 1200  
Atlanta, GA 30305

Regions Bank  
c/o Evans Petree PC  
EVANS PETREE PC  
1000 Ridgeway Loop Rd, Suite 200  
Memphis, TN 38120-4036

This, the 8<sup>th</sup> day of September, 2016.

Respectfully submitted,

HICKS, CASEY & MORTON, P.C.

/s/ Katherine J. Hill  
KATHERINE J. HILL  
State Bar No. 218574  
Attorney for Debtor

136 N. Fairground St., Ste. 100  
Marietta, GA 30060  
Telephone: (770) 428-1000  
Facsimile: (770) 428-4684

STATE OF GEORGIA

COUNTY OF COBB

**VERIFICATION**

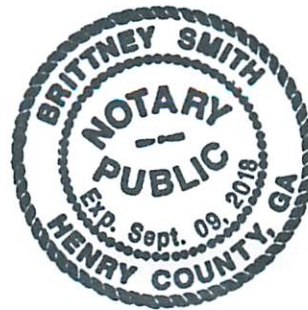
PERSONALLY APPEARED before the undersigned officer duly authorized by law to administer oath, BRENDA KAY ROBERTSON, whom, being duly sworn, deposes and states that to the best of his knowledge, the facts contained in the within and foregoing Second Amendment to Bankruptcy Petition are true and correct.

  
BRENDA KAY ROBERTSON

Sworn to and subscribed before me,  
this the 17TH day of August, 2016.

  
NOTARY PUBLIC

My Commission Expires on: 09/09/2018



B6B (Official Form 6B) (12/07)

In re **Brenda Kay Robertson**Case No. **15-53700**

Debtor

**SCHEDULE B - PERSONAL PROPERTY - AMENDED**

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

**Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.**

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. § 112 and Fed. R. Bankr. P. 1007(m).

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
1. Cash on hand	X			
2. Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.		Checking Account with Regions Bank	-	0.00
		Checking Account with Ameris Bank	-	50.00
3. Security deposits with public utilities, telephone companies, landlords, and others.	X			
4. Household goods and furnishings, including audio, video, and computer equipment.		Household Goods and Furnishings	-	3,000.00
		Clothing	-	200.00
5. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.	X			
6. Wearing apparel.	X			
7. Furs and jewelry.		Jewelry	-	300.00
8. Firearms and sports, photographic, and other hobby equipment.	X			
9. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	X			
10. Annuities. Itemize and name each issuer.	X			

Sub-Total > **3,550.00**  
(Total of this page)

3 continuation sheets attached to the Schedule of Personal Property

B6B (Official Form 6B) (12/07) - Cont.

In re **Brenda Kay Robertson**Case No. **15-53700**

Debtor

**SCHEDULE B - PERSONAL PROPERTY - AMENDED**

(Continuation Sheet)

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
11. Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)	<b>X</b>			
12. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.		<b>401(k) with Wells Fargo Advisors</b>	-	<b>259,288.23</b>
13. Stock and interests in incorporated and unincorporated businesses. Itemize.		<b>100% Ownership in B. Kay Builders Corporation</b>	-	<b>0.00</b>
		<b>100% Ownership in Gilbert Ventures, LLC</b>	-	<b>0.00</b>
		<b>100% Ownership in Bice Ventures, LLC</b>	-	<b>0.00</b>
		<b>100% Ownership in Woodmond Ventures, LLC</b>	-	<b>0.00</b>
		<b>100% Ownership in Mykassi Ventures, LLC</b>	-	<b>0.00</b>
		<b>33% Ownership in HBC Communities, LLC</b>	-	<b>0.00</b>
		<b>33% Ownership in Seymour Estates, LLC</b>	-	<b>0.00</b>
14. Interests in partnerships or joint ventures. Itemize.	<b>X</b>			
15. Government and corporate bonds and other negotiable and nonnegotiable instruments.	<b>X</b>			
16. Accounts receivable.	<b>X</b>			
17. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	<b>X</b>			
18. Other liquidated debts owed to debtor including tax refunds. Give particulars.	<b>X</b>			
19. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	<b>X</b>			

Sub-Total > **259,288.23**  
(Total of this page)

Sheet **1** of **3** continuation sheets attached  
to the Schedule of Personal Property

B6B (Official Form 6B) (12/07) - Cont.

In re **Brenda Kay Robertson**Case No. **15-53700**

Debtor

**SCHEDULE B - PERSONAL PROPERTY - AMENDED**

(Continuation Sheet)

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
20. Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	<b>X</b>			
21. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.		<b>Monthly Social Security Benefits</b>	<b>-</b>	<b>984.00</b>
22. Patents, copyrights, and other intellectual property. Give particulars.	<b>X</b>			
23. Licenses, franchises, and other general intangibles. Give particulars.	<b>X</b>			
24. Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes.	<b>X</b>			
25. Automobiles, trucks, trailers, and other vehicles and accessories.		<b>1989 Mercedes Benz 560SL (Value based on the Trustee's Interim Report, filed 8/1/16)</b>	<b>-</b>	<b>10,000.00</b>
26. Boats, motors, and accessories.	<b>X</b>			
27. Aircraft and accessories.	<b>X</b>			
28. Office equipment, furnishings, and supplies.	<b>X</b>			
29. Machinery, fixtures, equipment, and supplies used in business.	<b>X</b>			
30. Inventory.	<b>X</b>			
31. Animals.	<b>X</b>			
32. Crops - growing or harvested. Give particulars.	<b>X</b>			

Sub-Total > **10,984.00**  
(Total of this page)

Sheet **2** of **3** continuation sheets attached  
to the Schedule of Personal Property

B6B (Official Form 6B) (12/07) - Cont.

In re **Brenda Kay Robertson**

Case No. **15-53700**

Debtor

**SCHEDULE B - PERSONAL PROPERTY - AMENDED**

(Continuation Sheet)

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
33. Farming equipment and implements.	<b>X</b>			
34. Farm supplies, chemicals, and feed.	<b>X</b>			
35. Other personal property of any kind not already listed. Itemize.	<b>X</b>			

Sheet **3** of **3** continuation sheets attached to the Schedule of Personal Property

Sub-Total > **0.00**  
(Total of this page)  
Total > **273,822.23**

(Report also on Summary of Schedules)

B6C (Official Form 6C) (4/13)

In re **Brenda Kay Robertson**Case No. **15-53700**

Debtor

**SCHEDULE C - PROPERTY CLAIMED AS EXEMPT - AMENDED**

Debtor claims the exemptions to which debtor is entitled under:

(Check one box)

☐ 11 U.S.C. §522(b)(2)☒ 11 U.S.C. §522(b)(3)☐ Check if debtor claims a homestead exemption that exceeds \$155,675. (Amount subject to adjustment on 4/1/16, and every three years thereafter with respect to cases commenced on or after the date of adjustment.)

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property Without Deducting Exemption
<b><u>Checking, Savings, or Other Financial Accounts, Certificates of Deposit</u></b>			
Checking Account with Ameris Bank	O.C.G.A. § 44-13-100(a)(6)	50.00	50.00
<b><u>Household Goods and Furnishings</u></b>			
Household Goods and Furnishings	O.C.G.A. § 44-13-100(a)(4)	3,000.00	3,000.00
Clothing	O.C.G.A. § 44-13-100(a)(4)	200.00	200.00
<b><u>Furs and Jewelry</u></b>			
Jewelry	O.C.G.A. § 44-13-100(a)(5)	300.00	300.00
<b><u>Interests in IRA, ERISA, Keogh, or Other Pension or Profit Sharing Plans</u></b>			
401(k) with Wells Fargo Advisors	O.C.G.A. § 44-13-100(a)(2.1)	259,288.23	259,288.23
<b><u>Other Contingent and Unliquidated Claims of Every Nature</u></b>			
Monthly Social Security Benefits	O.C.G.A. § 44-13-100(a)(2)(A)	984.00	984.00
<b><u>Automobiles, Trucks, Trailers, and Other Vehicles</u></b>			
1989 Mercedes Benz 560SL	O.C.G.A. § 44-13-100(a)(3)	5,000.00	10,000.00
(Value based on the Trustee's Interim Report, filed 8/1/16)	O.C.G.A. § 44-13-100(a)(6)	5,000.00	

Total:	<b>273,822.23</b>	<b>273,822.23</b>
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0 continuation sheets attached to Schedule of Property Claimed as Exempt



B6 Summary (Official Form 6 - Summary) (12/14)

**United States Bankruptcy Court**  
**Northern District of Georgia**

In re **Brenda Kay Robertson**,  
 Debtor

Case No. **15-53700**Chapter **7**

**SUMMARY OF SCHEDULES - AMENDED**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors must also complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	<b>Yes</b>	<b>1</b>	<b>0.00</b>		
B - Personal Property	<b>Yes</b>	<b>4</b>	<b>273,822.23</b>		
C - Property Claimed as Exempt	<b>Yes</b>	<b>1</b>			
D - Creditors Holding Secured Claims	<b>Yes</b>	<b>4</b>		<b>23,984,270.14</b>	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	<b>Yes</b>	<b>1</b>		<b>0.00</b>	
F - Creditors Holding Unsecured Nonpriority Claims	<b>Yes</b>	<b>6</b>		<b>10,712,360.33</b>	
G - Executory Contracts and Unexpired Leases	<b>Yes</b>	<b>1</b>			
H - Codebtors	<b>Yes</b>	<b>3</b>			
I - Current Income of Individual Debtor(s)	<b>Yes</b>	<b>2</b>			<b>6,017.40</b>
J - Current Expenditures of Individual Debtor(s)	<b>Yes</b>	<b>2</b>			<b>6,222.16</b>
Total Number of Sheets of ALL Schedules		<b>25</b>			
Total Assets			<b>273,822.23</b>		
Total Liabilities				<b>34,696,630.47</b>	

**United States Bankruptcy Court**  
**Northern District of Georgia**

In re **Brenda Kay Robertson**,  
 Debtor

Case No. **15-53700**

Chapter **7**

**STATISTICAL SUMMARY OF CERTAIN LIABILITIES AND RELATED DATA (28 U.S.C. § 159)**

If you are an individual debtor whose debts are primarily consumer debts, as defined in § 101(8) of the Bankruptcy Code (11 U.S.C. § 101(8)), filing a case under chapter 7, 11 or 13, you must report all information requested below.

☐ Check this box if you are an individual debtor whose debts are NOT primarily consumer debts. You are not required to report any information here.

**This information is for statistical purposes only under 28 U.S.C. § 159.**

**Summarize the following types of liabilities, as reported in the Schedules, and total them.**

Type of Liability	Amount
Domestic Support Obligations (from Schedule E)	
Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)	
Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E) (whether disputed or undisputed)	
Student Loan Obligations (from Schedule F)	
Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E	
Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)	
TOTAL	

**State the following:**

Average Income (from Schedule I, Line 12)	
Average Expenses (from Schedule J, Line 22)	
Current Monthly Income (from Form 22A-1 Line 11; OR, Form 22B Line 14; OR, Form 22C-1 Line 14 )	

**State the following:**

1. Total from Schedule D, "UNSECURED PORTION, IF ANY" column		
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column		
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column		
4. Total from Schedule F		
5. Total of non-priority unsecured debt (sum of 1, 3, and 4)		